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Attorneys for Eugene Buckley

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

USA COMMERCIAL MORTGAGE
COMPANY,

USA CAPITAL REALTY ADVISORS,
LLC,

USA CAPITAL DIVERSIFIED TRUST
DEED FUND LLC,

USA CAPITAL FIRST TRUST DEED
FUND LLC,

USA SECURITIES, LLC,

Debtors.

Affects:

☒ All Debtors

: USA Commercial Mortgage Company

: USA Capital Realty Advisors, LLC

: USA Capital Diversified Trust Deed Fund, LLC

: USA Capital First Trust Deed Fund, LLC

: USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR

Case No. BK-S-06-10729-LBR

CHAPTER 11

Jointly Administered Under

Case No.: BK-S-06-10725-LBR

**STIPULATION AND ORDER RESOLVING
DISCOVERY DISPUTES BETWEEN
LIQUIDATING TRUST AND EUGENE
BUCKLEY**

1 The USACM Liquidating Trust (the "Trust") and Eugene Buckley ("Buckley") hereby file
2 this Stipulation and Order resolving all discovery disputes between them including disputes
3 regarding: (1) Buckley's Motion to Quash; (2) disputes regarding the Trust's subpoena served (the
4 "Trust's Subpoena"); and (3) the number of times Buckley will be examined pursuant to Rule
5 2004.

6 1. In order to assist Buckley in determining what to focus on within the subpoena, and
7 without limiting the scope of the Trust's Subpoena, the Trust has identified certain entities,
8 individuals and events upon which the Trust seeks information from Buckley pursuant to the
9 Trust's Subpoena.

10 2. In responding to the Trust's Subpoena, Buckley agrees to provide information and
11 copies of documents (to the extent the documents are within his custody and control) on or before
12 August 8, 2007.

13 3. The Trust agrees to coordinate the examination of Buckley as part of any
14 examination planned by the Chapter 11 Trustee of USA Investment Partners, LLC ("USAIP"). As
15 a result, there will be only one Rule 2004 examination of Buckley for purposes of the above-
16 captioned matter and *In re USA Investment Partners, LLC*, Case No. BK-S-07-11821-LBR, in the
17 United States Bankruptcy Court for the District of Nevada.

18 4. Buckley will appear for one Rule 2004 examination upon reasonable notice (which
19 shall be not less than ten days), at the offices of McDonald Carano Wilson LLP, 2300 West Sahara
20 Avenue, Suite 1000, Las Vegas, Nevada 89102.

21 5. The Trust agrees that Buckley's compliance with this stipulation shall fully satisfy
22 any Rule 2004 request for information from Buckley.

23 6. Buckley's Motion to Quash is hereby WITHDRAWN, without prejudice.
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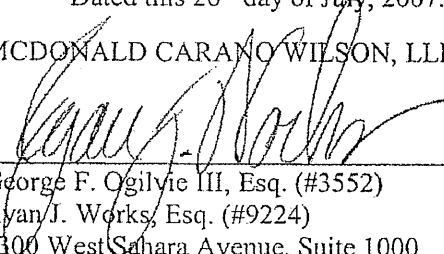
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1 7. Accordingly, the July 27, 2007 hearing of this matter is VACATED.

2
3 Dated this 26th day of July, 2007.

4 MCDONALD CARANO WILSON, LLP

DIAMOND McGARTHY LLP


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6 
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